



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

January 21, 2022

BY ECF AND EMAIL

The Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007
EngelmayerNYSDChambers@nysd.uscourts.gov

Re: *United States v. William Sadleir, 20 Cr. 320 (PAE)*

Dear Judge Engelmayer:

The Government writes to respectfully request that the Court enter the attached proposed Consent Order of Interlocutory Sale of Real Property (the “Proposed Order”) with respect to the property located at 9135 Hazen Drive, in Beverly Hills, California (the “Beverly Hills Property”).

On or about November 25, 2020, upon application from the Government, the Court issued a post-indictment restraining order as to the Beverly Hills Property. Dkt. 21. Earlier this week the defendant pled guilty to Counts One and Two of the Indictment, and admitted the forfeiture allegations asserting, among other things, that the Beverly Hills Property was obtained with funds traceable to the charged offenses.

The Government has conferred with counsel for individuals or entities with a known potential interest in the Beverly Hills Property (the “Interested Parties”), including William Sadleir; Temerity Trust (the nominal owner of the Beverly Hills Property, currently in bankruptcy); an investment fund named Cairn Capital Investment Funds (“Cairn”) to whom Sadleir pledged the Beverly Hills Property as collateral for a 2018 transaction; and BlackRock. Based on those discussions, and the facts known to the Government at this time, Cairn appears to have a superior claim to the Beverly Hills Property over the Government’s criminal forfeiture interest. The Proposed Order sets forth a process for the Beverly Hills Property to be sold under the supervision of the bankruptcy court overseeing the Temerity Trust bankruptcy in the Central District of California, with the bulk of any sale proceeds being distributed to Cairn. All of the Interested Parties consent to the entry of the Proposed Order.¹

¹ BlackRock has informed the Government that it does not object to the issuance of the Proposed Order, but has declined to sign the order.

Based on the foregoing, the Government respectfully requests that the Court enter the Proposed Order.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

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cc: Matthew L. Schwartz (via email)